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MAY 31, 1954

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An Infection of Change

MEN are aroused to alarm and anxiety both by tangible and by intangible threats. Concrete and definable dangers call up reactions of defense more or less proportionate to the occasion. But when the menace cannot be so definitely localized the reaction easily takes on an irrational character. The victim has to strike in the dark or focus his fear and hostility upon some arbitrarily selected adversary. Where a clear diagnosis fails the sick man magnifies a superficial symptom. When things unaccountably go wrong in a man's life he hunts about more or less feverishly for some malicious agency or agent and distorts reality.

What is true of the individual is true of societies. When a recognizable enemy appears the appropriate mobilization of defense takes place, no doubt with emotions of fear and hostility but not necessarily with hysteria. But when a society senses an obscure tide of change going on, and irreversible transformation of established institutions and patterns and values, disquiet becomes alarm and alarm may become panic, just because the causes are unknown. In this situation the "good citizen," the "men of good will," the pillars of order are precisely the ones most confounded just because their devotion and service to the community have identified them with the standing values, quite apart from any threat to their interests. The guardian of society, confronting the stealthy dissolution of his station, is among the first to be puzzled, to become indignant, to sound the alarm, and to seek out a tangible foe by suspicion and conjecture. So we get hysteria and scape-goating and an intensification of partisanship such that reasonable communication and persuasion are no longer possible. At this point the massive forces of sheer self-interest are only too ready to take advantage of the situation and throw in their reinforcements.

A good picture of the impact of revolutionary change upon a society is provided by a passage from To Be A Pilgrim by the English novelist Joyce Cary.¹

"Yes, it's interesting to see how revolutions actually come about—how they cast their shadows before them-no, not a shadow . . . a bar of heat. It's as if a furnace door has been opened—the furnace where new societies are forged, and the heat at once begins to melt everything, even a long way from it, things which will not be ready for the crucible for a long time-ideas, institutions, laws, political parties, they all begin to lose their firmness. . . . And suddenly the idea came home to me and I was frightened. It seemed that the very ground grew thin beneath me, and everything about me began to change form, to dissolve. As if there were an infection of change in the very walls, books, and Edward's bent figure, white hair, and hollow cheeks."

When men find the very ground beneath them growing thin and all securities losing their firmness, they are, indeed, frightened. There would seem to be two safeguards here. One is a better understanding of the change in course. The other is a philosophy of life which sees it as a constant pilgrimage through change and never counts upon an established order of things. Anglo-Saxons may be said to have deeply bred in them the idea of life as a pilgrimage. It is this which helps explain the resources exhibited by the English in the catastrophic shocks that came upon them in the raids as well as in the long-term cumulative changes which have imposed themselves upon their uniquely traditional society. The same temper in American life was reinforced by the frontier experience and may be counted on to reassert itself despite our current evidences of panic.

What will help here, however, will be some better understanding by our middle classes of the factors

¹ New York: Harper, 1942, p. 274.

that have been at work transforming our older patterns. When a ship carries its passengers from the Mediterranean to northern latitudes the change in climate is not blamed upon some supposed band of conspirators in the crew. So when inevitable changes impose themselves upon our American way of life and when our deep nostalgias of old simplicities and social pieties are affronted, our best recourse is to understand the causes. Our task then is not one of fortifying ourselves in outworn sentiments but of rearticulating in a new situation the permanent values to which we are attached.

A. N. W.

Editorial Notes

The fall of Dienbienphu confronts both our nation and France with serious problems. The French will be offered an armistice which will practically turn the three Indo-Chinese states over to communism. If, war-weary as they are, they are to offer further resistance, they need our help. We, on the other hand, can not help them unless they make much more progress in granting freedom to the Indo-Chinese states than they have done thus far. It was this failure which deprived the Indo-Chinese of a real incentive for the struggle and armed the communist with the strong ideological weapon.

The sorry conclusion of this "heroic" struggle might prompt us to a "reappraisal" of the whole Asian situation, and the relation of the West to Asia. In such a reappraisal, the first thing to note is that military weapons are powerless when there is not a solid moral and political basis for a cause. Therefore, threats of "massive retaliation" were futile in turning the tide of the battle. They merely served to increase the moral embarrassment under which we labored in Asia by the fact that the moral foundation was inadequate for this military might which we displayed.

This does not mean that the communist cause has a moral advantage over us in Asia. It merely means that memories of ancient wrongs, of "colonialism" and "imperialism" make our cause seem to the Asians to be less than ideal of pure "democracy" which we seem to advance for it. This does not change the fact that communism which exploits these resentments, would enslave the nations tomorrow, which it "liberates" today.

It may be that sacrifices on our part, far beyond any hitherto demanded or contemplated, will be necessary to save the situation. But sacrifices in the military struggle will be futile if we do not succeed, with the French, in liquidating the colonial past with as much speed and grace as possible.

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CHURCH NEWS AND NOTES

Nolde Focuses Church Thinking On Big Power Geneva Conference

New York (EPS)—An ecumenical service of intercession at the Cathedral of St. Pierre, Geneva, Switzerland, on Sunday, May 19, focused Christian prayer and thought on the big-power conference in session there.

Dr. O. Frederick Nolde, Director of the Commission of the Churches on International Affairs, in Geneva for the Conference, addressed the church meeting. He said in part:

"God will provide strength at this and at each succeeding moment of history if we will only use what he places at our disposal. . . . Reflection upon the forces which make their impact upon the Geneva Conference may help us to steer between unwarranted optimism and self-defeating despair. . . .

"Diversity of outlook in a truly free society of nations is a mark of its fundamental strength, even though the procedures whereby it reaches conclusions may be more cumbersome. The source of wisdom is not confined to a single government or people. Where there is an opportunity freely to express points of view there is greater likelihood of a forthright address to the heart of the issue and a surer prospect of ultimate voluntary agreement on the best solution. This, I venture to say, applies to all problems. It could with considerable benefit to mankind become the accepted procedure of all governments involved in the present situation. . . .

"Accumulated injustices, an emerging regional consciousness in East Asia, tensions between rival power blocs, and diversity of proposed solutions—take on a distinctive meaning in our day because of the known and the potential destructive power of atomic and hydrogen weapons. . . .

"Confronted by the destructive potential of atomic and hydrogen weapons, there is need for a courageous outlook and a sense of new responsibility in seeking honorable settlements by processes of negotiation. . . . The Christian knows that in a world of tribulation he can be of good courage. He thus helps to counteract hysteria and can contribute to an emotional framework of balance and poise in which perplexing international problems can be most effectively attacked. An essential complement to a courageous outlook is the recognition

(Continued on page 71)

Trial by Exposure*

FRANK S. KETCHAM and RUDOLF SOBERNHEIM

THE power to investigate is one of Congress' oldest and most useful functions. Basic to the purposes of congressional investigations is the necessity of collecting information on national problems and issues, with a view to passing legislation to remedy any defects in the body politic that are uncovered, or to improve the functioning and administration of existing laws, or to provide a legislative solution for needs not heretofore recognized as requiring regulation by statute. In addition, though the view is sometimes challenged, congressional investigations are also justified as executing the duty of Congress to inform the electorate.1 In reaction against the preponderance of presidential power in recent years, it has also frequently been asserted that it is a legitimate function of Congressional committees to uncover through the use of their investigative power executive maladministration, including the infiltration of subversive elements into the executive branch of the Government and the uncovering of subversive conspiracies anywhere, even outside the Government.2 It might be argued, especially with regard to the last aspect of congressional investigations that guarding the nation against such conspiracies is a task to be performed by duly constituted agencies skilled therein, such as the F.B.I. or the counterintelligence services of the Armed Forces, and that the duty to inform the public of the facts is better performed by the press of this country than by Congress.

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However, the expansion of congressional investigative power has become widely accepted over the years. In recent times, investigations into subversive activities go back at least to the Dickstein Committee in the early Thirties, which investigated primarily the American agents and sympathizers of the National Socialist Government of Germany. In considering the legitimacy of such investigations, we must recognize—whether we like it or not—that in these times there are persons, not entirely negligible in numbers, who place allegiance to a political doctrine and to the country embodying its realization ahead of allegiance to their own country. Lest we believe that this is unheard of, let us remember that this was a common phenomenon in the society

of the Greek city states of antiquity and has also been found true in greater or lesser measure during later revolutionary periods of history, not unlike in one or another aspect to our times. We may agree, therefore, with Representative Jacob K. Javits (R-N.Y.) that the "question is not whether there is need to investigate communism and subversion" 3 and thoroughly share the conviction expressed by Senator Paul H. Douglas (D-Ill.) "that the communist conspiracy for world dominion today, centering in the Soviet Union and reaching its tentacles into our own country, is a real danger and a fit subject for effective investigation." 4 Nevertheless, millions of loyal Americans, millions of our friends abroad, are deeply troubled by these investigations which provide untold opportunities for harm to Anti-American propagandists at home and abroad.

The explanation for this apparent contradiction is well-known and has been very clearly presented by many men in public life.⁵ The issue was stated by Congressman Javits in the article already referred to: "The question, rather, is of the methods employed." In greater detail, the same point was set forth by Senator Douglas in his address to the Civil Liberties Conference:

"Investigation is for a purpose: to inform Congress, so that Congress can pass wise and efficient legislation. To expose situations that demand action by Congress, to check on the administration of the laws, and to inform the public are all proper and closely related objectives.

"But if Congress frequently disregards the real purpose of investigations, leaps from one political circus to another, and persists in its disregard of the basic civil rights, then inevitably it will bring itself and its inquiries into disrepute, and finally to complete ruin.

"The danger to effective investigations comes primarily from within Congress itself, not from without."

Some of the faulty methods of congressional investigating committees in the conduct of their in-

^{*}This article deals with some recent aspects of Congressional investigations into subversive activities.

¹ Woodrow Wilson, Congressional Government, p. 303 (1900).

² Barsky v. United States, 167 F2d 241 (1948), certiorari denied, 334 U. S. 843 (1948).

³ Congressional Record, March 2, 1954.

⁴ Address to the Sixth National Conference on Civil Liberties (Release of Sen. Douglas, March 19, 1954).

⁵ See the Symposium called "Legislative Investigations: Safeguards for Witnesses: 29 Notre Dame Lawyer, pp. 157-285 (1954).

quiries are apparent on the surface and are perhaps partly traceable to the personalities of the chairmen of these committees as well as to the requirements of our political life. Thus the tendency toward head-line-seeking was recently explained, if not directly defended, by Congressman Keating (R-N.Y.) whose investigations in many ways are a model for the conduct of congressional inquiries, as follows:

"Anyone who is holding an elective office must keep 'alive' in the eyes of his constituents. That is simply a fact of political life.

* * *

"A conscientious Senator or Representative sometimes finds himself buried for weeks and months at a time, doing the plain hard work expected of him. He risks being forgotten, for the public fails to realize how important the day-to-day problems of running the Government really are. One alternative to this honorable oblivion—and its grave political risks—is to gain national recognition in the news media, in connnection with a popular investigation." ⁶

Other such traits which explain the use of faulty methods of congressional investigating committees are the over-emphasis on politics for party purposes and the desire-almost as old congressional investigations-to find in them material for campaign purposes. As a result, there has been a tendency to re-hash time and again the few cases in which persons of any prominence were found to have been subversive and to attempt by every possible inference and insinuation to trace to the acts of such persons each and every political difficulty which our country has to meet in the world today, especially in the field of foreign relations. To point with pride to the solidity of American loyalty which has actually been demonstrated by the investigations would, of course, deprive them of this artificial political glamor.

But the true reasons for the objections to the conduct of certain congressional investigating committees lie deeper. The people increasingly recognize that these investigations have frequently degenerated into an abuse of power and that, moreover, they tend to threaten freedom and diversity of thought among our citizens.

Although the Supreme Court of the United States early denied the right to Congress to inquire into the private affairs of citizens and protected the right of a witness not to answer questions delving into them, ⁷ many legislative investigations have become just that. In his speech before the Civil Liberties

Conference which we have already quoted several times, Senator Douglas said unequivocally:

"There is nothing in legislative history that bases investigative power on a mere desire to probe into people's affairs, to stigmatize indirectly, or ruin personal reputations without permitting a fair defense, to gain publicity, to sensationalize and personalize political careers. Even in pursuit of worthy and legitimate investigative ends, history does not show that it is necessary to use or condone such procedure."

The second point, though perhaps somewhat hard to prove, was set forth succinctly by Senator Kefauver (D-Tenn.):

"Another objection—somewhat intangible—but of great danger to a democracy, is the fact that conformity to prevailing ideas is enforced by fear of censure before a Congressional committee. In this connection the question is raised whether some investigations do not impose 'tyranny of prevailing opinion and feeling' which John Stuart Mill once described as 'tendence of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them."

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Those who defend the methods of anti-subversive congressional investigations have acknowledged both points. They have replied to the first, that it is the purpose of their investigations to "decimate" the Communist movement by exposing its individual members, to discredit them in their communities and in their pursuit of a livelihood. They defend such action as leading to the destruction of the Communist movement by the most direct route.

The investigators themselves have not openly acknowledged Senator Kefauver's point. But their apologists, William F. Buckley, Jr. and L. Brent Bozell, have acclaimed Senator McCarthy's investigations as a means of creating a trend toward conformity with the right kind of policies—i.e. those of which they approve and which might fairly be defined as the policies of extreme right-wing conservatism.

Senators Douglas and Kefauver have touched upon the central point of the controversy. Congressional investigations into subversive activities have ceased to be general inquiries for legislative purposes and have become inquiries into the lives of individuals for the purpose of punishment by exposure: the imposition of an other-than-civil sanction in a completely non-judicial (not even quasi-judicial) form of proceeding.⁹ If such proceedings

⁶ Keating, Protection for Witnesses in Congressional Investigations, 29 Notre Dame Lawyer, p. 215 (1954).

⁷ Kilbourn v. Thompson, 103 U. S. 168 (1881).

⁸ McCarthy and His Enemies (Regnery, 1954).

Ocarr, The Un-American Activities Committee; Galloway, Proposed Reforms, 18 Univ. of Chicago Law Review 478, 480, 598 (1951).

can at all be a proper part of our constitutional system, they should be at least conducted in full compliance with the principles of due process: 10 sanctions should be imposed only on those who are shown currently engaged in subversive activities by probative evidence established on the record and showing subversion under a reasonable standard of factual evaluation. Only those should, moveover, be called publicly before the bar of the investigating committee against whom there exists a strong prima facie case.

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It is in this light that the recent investigation of the House Committee on Un-American Activities into the infiltration of churches by communists must be judged. There is per se no reason why a minister who abuses his office for communist party purposes should be immune solely by virtue of his position as a minister. But such investigation was not what the Committee undertook. Instead, based on information given it by a minister who in 1946 or 1947 became a communist for a short while, and by excommunists given to extreme bragging about their exploits while in the Communist Party, it subjected to searching examination the conduct of another minister, in 1935, showing no more than his participation, publicly known and acknowledged, in the activities of the now-defunct League against War and Fascism. Since the uncontradicted testimony showed this minister to have become strongly anticommunist about 1937 or 1938, he could hardly be exposed as a present subversive. Even taking into account minor conflicts in the testimony as to the exact scope of the 1935 activities of the minister who was investigated, the testimony read in the most adverse way did not show any subversive activities aimed at the overthrow of the American Government, at espionage or any other crime. If the investigation was not aimed at the individual, however, but at showing communist infiltration techniques, the evidence showed no infiltration by communists, and even if it threw some light on the workings of the Communist movement, it did not show anything about the present, the continuance of the same techniques in 1954 or the current scope of infiltration of communists into the clergy or any other group. Certainly nothing produced at the particular hearing was probative as to present subversive activities.

In the light of generally accepted principles of due process, the flimsy results of this investigation should hardly have made it proper to impose upon the witness as a citizen the censure which his being called before the Committee at a public hearing and the spreading before the public of limited and innocent activities of almost twenty years ago would necessarily bring about.

The investigating committees should avoid such unnecessary harassing of citizens, especially where the citizen is willing to give evidence as to his activities and where the witnesses providing leads "against" him, are of notorious unreliability. One of the witnesses had previously testified grossly inaccurately about himself and others at an administrative trial in New York, greatly impairing his credibility. The other had actually become a communist, had denied falsely that this was true, and had changed his testimony and was in a very insecure position as a minister as a result of his false denials and other activities. Nevertheless, these witneses were allowed publicly to appear against a minister and professor of religion whom even the Committee admitted never to have been a Communist—who had in fact avoided —the very errors for which his accusers had fallen. A more careful advance evaluation of the weight of the evidence given by these witnesses, the absence of any outside corroboration for the more extreme phases of their testimony, its self-glorifying and self-serving character, should have induced the Committee not to call the minister in question to a public hearing at which he appeared in the role of the accused.

The case discloses not only the biased methods of the committees investigating subversive activities, the flimsiness of evidence acceptable to the committees, it also discloses the effects of the habit of accepting accusing witnesses as friendly and treating all others as hostile. In a fact-finding investigation such attitude would be inexcusable as a matter of fairness and as a matter of method. In a trial by exposure, where the Committee is prosecutor and judge at the same time, it is easily explained by the need for obtaining "convictions."

It is a moot question to what extent the Committees' prosecution-mindedness, their failure properly to evaluate evidence, their failure to appraise properly the bearing of evidence on present-day facts can be remedied by legislation. Primarily, the problem is political and will not be solved until public opinion will compel Congress to act in its investigations and "trials by exposure" with the degree of fairness and justice which we require in court and administrative investigations and trials.

Nevertheless, improvements in committee proceedings are possible and legislative proposals, often based on the work performed by the representatives of the legal profession, 11 have frequently been proposed and would give substantial relief from many

¹⁰ Fortas, Abusive Practices of Investigating Committees, 29 Notre Dame Lawyer 199, 206 (1954).

¹¹ For instance the 1948 Report of the Association of the Bar of the City of New York, 95 Cong. Rec. A 1363 (1949) and the Report prepared by a committee of the New York County Lawyers Association, 2 Bar Bulletin 217 (1954).

abuses, if adopted.¹² All of these differ somewhat among themselves both in scope and phrasing, but if their best features were combined, they would provide protection for witnesses and others named before investigating committees in a manner reflecting, or which they believe reflects, on their reputation. The proposals, if adopted, would secure certain rights to witnesses and others in matters which are now treated as privileges at the Committee's merest whim, and would also impose restraints on the internal administration of committee work. The major points involved are:

With regard to the rights of individuals, they would receive advance notice of the subject-matter of hearings, allowing them to prepare themselves; the right not only to be advised in a limited way, but to be examined by their own counsel; they would be permitted to file additional material and statements; they would be permitted to call witnesses on their own behalf and to examine them as well as adverse witnesses, directly through their counsel and through interrogatories handed to the committee chairman. They would also be entitled to a transcript of the record, and such transcript would be accessible to them and to the public for examination.

Committees themselves would not only observe these rights of witnesses and third parties, but would not hold hearings without the presence of at least two members, would give ample advance notice of hearing to their members, would restore control over executive hearings to the majority, would protect the secrecy of executive sessions against leaks, would publish testimony only completely and not in excerpts, and would refrain from advance comments, while a committee report was in preparation.

All the proposals, insofar as they try to confer rights upon witnesses and third parties, center around the most important point: the role of counsel in congressional investigations. They recognize the two major rights: to be examined by one's own counsel, to bring out points left open or neglected by the Committee, and to cross-examine adverse witnesses. But since the proposals are written by knowledgeable legislators, impressed by the diversity of situations which may arise, the need for flexibility and the opportunities for the misuse of rights by witnesses and counsel, the rights granted are hedged by limitations, placing their effective use largely in the discretion of the Committee. Yet, there is nothing to indicate that committees in a hurry, eager to reach a preconceived result, may not in their discretion prevent the use of the rights which these proposed resolutions intend to grant.

As to the important right to cross-examine, the proposals treat it rather hesitantly; it is called a "limited right," though Senator Douglas would at least set aside one hour for the purpose. Both the difficulties and the need for cross-examination are illustrated by the current hearings on the McCarthy-Army controversy. Due to the rules adopted, examination of a witness by the Committee and parties consumes an extraordinary amount of time; at this writing the Secretary of the Army has been on the stand for more than half the time initially set aside for the entire hearings. But the need for cross-examination is even more clearly demonstrated by the hearings. Without it, the use of a truncated photograph, which had at least the tendency to mislead the Committee, might have passed undetected. The witness would have been compelled to answer that he did not "remember" such a photograph, but it would not have come out that the photograph was part of a larger picture which the witness could have remembered. Cross-examination thus prevented the impairing of the credibility of a witness and exposed Committee staff activities for which there was no justification.

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If the same right had been granted in the recent hearing before the House Un-American Activities Committee on the infiltration of communists into the churches, the unreliability of the witnesses, their changing testimony, their discrediting performance in previous administrative proceedings could have been brought out; but the existing rules and procedures, tending toward quick trial by exposure, rendered the making of a complete record impossible.

In the balance between efficience of investigations and justice to individuals, the decisive point should be, that the exposure proceedings of congressional investigating committees have in fact assumed a penal character. Accordingly, Congress should assume the responsibility which goes with the power to impose sanctions on individuals and provide the safeguards of due process in its exposure trials. It must do justice in fact and abandon the theory that it merely issues warning signals, though at the expense of those who indirectly or directly provide it with information.

But more fundamentally, Congress may well reconsider, whether it should continue in its role as exposer of individuals, after it has now aroused the nation to the dangers of communism. The possibilities of abuse are apparent and abuses have occurred. Beyond these abuses and the remedy for them, however, is the question, whether in a democratic society we can allow the institution of extra-judicial and extra-quasi-judicial proceedings against individuals without impairing constitutional rights and destroying our free society.

 ¹² Currently pending before Congress: H. Res. 29 (1953) (Keating), S. Cong. Res. 10 and 11 (1953) (Kefauver), all 83rd Cong. 1st Sess.; H. Con. Res. 202 (1954) (Javits), H. J. Res. 328 (1954) (Frelinghuysen); S. J. Res. 137 (1954) (Douglas); all 83rd Cong. 2d Sess.

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"Peoples and governments must guard against false pride and facesaving tendencies which close the door to open-minded and effective negotiation. . . . The degree of flexibility which participants bring to the search for solutions may well be a key to the success or failure of the deliberations. In many countries there is an unfortunate tendency to debate the possible outcome in terms of a diplomatic victory by one side or another. We should be mature enough to realize that in a world that is characterized by a relative balance of power a diplomatic victory sets the stage at the best for a new diplomatic controversy and at the worst for military conflict. It would be far more wholesome to concentrate on the problems to be solved, and on the manner in which justice may be served and the threat to peace eased. . . .

"In face of accumulated injustices, international agreements must recognize to the fullest extent the dignity and worth of the human person both as an individual and in his corporate relationships. . . . The objectives to be sought are not difficult to define. Justice demands that decision on the kind of governments which shall rule in their respective countries should rest with the peoples of Korea and Indo-China. . . . The peoples of the world expect action at Geneva and they have a right to expect it. If the highest agreements are not attainable, provisional and intermediate arrangements should be sternly insisted upon. They should be accompanied by safeguards-if possible by the use of such United Nations agencies as the Peace Observation Commission and backed by other provisions in the *Uniting for Peace* resolution. They should contain clear-cut provisions for automatic review at specified periods in order to determine whether agreements more favorable to the people directly concerned can then be reached. Any assistance that is given must be in response to the freely expressed desires of the peoples for whom justice is sought. There is no justification for foreign intervention through colonialism, communism, or any other form of imperialism. To every possible extent the judgment of countries which comprise the total, natural region should be solicited in advance. . . .

"Beset by recurring wars and rumors of wars, the definition of internationally accepted methods for peaceful change must be accelerated. . . . Perhaps the most serious threat to international peace arises in those situations where military action takes place within a country-military action which in its origin or its development may carry serious international implications. If they are permitted to go forward unchecked, they may become the occasion for instituting the use of weapons of mass destruction. . . . While every effort should be pressed to set up a system of international regulation and reduction of all armaments, a parallel procedure should be set in motion to minimize the risk of their use by removing the occasion where the apparent need or the temptation to use them arises. The problem, therefore reduces itself to the necessity of finding a peaceful substitute for recourse to rebellion and a peaceful answer to the pretext of liberation. In other words, the destructive power of modern weapons forces the nations to accelerate their search for internationally acceptable methods of peaceful change. . . . "

N.C.C. Message of Welcome Will Greet W.C.C. Visitors

New York (EPS) — The National Council of Churches of Christ in the U.S.A. recently released an official message of welcome prepared for the delegates of 47 foreign countries who will be attending the Second Assembly of the World Council of Churches in Evanston, Illinois next August.

A "first copy" of the message was presented to Dr. W. A. Visser 't Hooft, General Secretary of the World Council of Churches, in New York on Wednesday, May 12th. Dr. Visser 't Hooft will remain in this country through August, taking part in the preparations for the Assembly.

In presenting the "message" to Dr. Visser 't Hooft, Dr. Roy G. Ross, General Secretary of the National Council of Churches, expressed the hopes and prayers of the thirty major communions cooperating in the National Council, that the world gathering "may strengthen and enrich our common faith in Christ, the Hope of the World."

The message, entitled "American Churches Welcome You to Evanston," which will be put into the hands of each delegate, consultant and official visitor from overseas, stresses the common ties that unite an estimated 168,000,000 Christians around the world. Acknowledging also racial, language and confessional differences that separate Christians of all lands, the message said, "We know that we have much to learn from many of you who . . . have had insights and experiences different from our own. We are grateful for your loyal witness under adverse circumstances which we have never had to face." Differences existing between the churches of many lands are paralleled by differences "within our own American churches," said the statement. Among them were included "many differences in our interpretation of the Gospel and of the nature of the Church and in the application of our Christian convictions to contemporary problems."

The message further stated, "The witness which will be borne at Evanston, as Christians meet together from all parts of the globe, will probably not be identical with the testimony of any national group of Christians. Our hope, however, is that at Evanston there will be an atmosphere of such true Christian fellowship that even when we are speaking of our differences we shall be listening most of all for what the Holy Spirit is saying to the churches."

Heading the list of those who signed are Bishop William C. Martin, President of the National Council of Churches, and Dr. Ross. Then follow the signatures of leaders of the 30 communions represented in the U. S. body which embraces 35,500,000 Protestant and Eastern Orthodox church members.

Christianity and Crisis

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Indian Committee Appointed To Probe Mission Activities

India (EPS)—A six member committee has been appointed by the Government of Madhya Pradesh to investigate missionary activities in the State. Dr. Bhawani Shankar Niyogi, former chief justice of the Nagpur High Court, was named chairman of the probe group. Others on the committee include Seth Govind Das, a member of Parliament, and G. S. Gupta, former speaker of the State Assembly.

An announcement said the committee would survey the missionary question from historical and other aspects and make recommendations to the Government. Explaining why the committee was set up, the announcement said the Government had received complaints both

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against and from missionaries. Charges against Christian missionaries are that they "convert illiterate aboriginals and other backward people either forcibly or through fraud and temptations of monetary and other gain, thereby offending the feelings of non-Christians." RELI ED

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The complaints also allege that missions have been utilized, directly or indirectly, for purposes of "political or extra-religious objectives." Christian missionaries had repudiated such charges, the explanation continued, and had asserted that "their activities were confined solely to religious education, social, medical and educational work.'

The Government statement said Christian missionaries also had complained that they were being "harassed" by non-Christian and local officials. It concluded: "As agitation has been growing on either side, the State Government considers it desirable in the public interest to have a thorough inquiry made on the whole question through an impartial committee."

Prayers of Intercession Offered by Dutch Church

Netherlands (EPS)—On the occasion of the Conference of Geneva, the synodal board of the Netherlands Reformed Church sent a letter to the pastors in which they were asked to offer prayers of intercession in the Churches.

"We are grateful," the letter says, "that all countries feel the obligation for negotiation in case of conflicts. It is clear that the Geneva Conference will have an extremely difficult task in helping to clear an atmosphere of distrust and in contributing to international security, especially where conflicts run high.

"Much will be expected from this Conference for the well-being of the nations, the more so in view of the appalling means of destruction now available. If the Conference were to fail, it might mean enormous danger.

"The synodal board therefore invites you to pray for the success of this Conference. God the Father of our Lord Jesus Christ Who rules the world is the only one Who can show the way out and give a solution in the midst of human confusion."

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Frank S. Ketcham and Rudolf Sobernheim are members of the New York and District of Columbia bars.